

Notice of Allowability

Application No.

10/074,379

Examiner

Rodney G. McDonald

Applicant(s)

TAYLOR ET AL.

Art Unit

1753

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to After Final Amendment filed 2-7-05.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ The drawings filed on 12 February 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 3/04, 9/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jeffrey Kurin on February 23, 2005.

The application has been amended as follows:

Claim 1, line 10, replace "house" with "housing".

Claim 5, line 8, replace "house" with "housing".

Claim 9, line 13, replace "house" with "housing".

Additionally please amend the application to update the status of pending applications as follows:

In the preliminary amendment of June 10, 2002 in paragraph [0001] line 10 insert after "2001," the phrase "now U.S. Pat. 6,544,485" to update the status of that application.

In the preliminary amendment of June 10, 2002 in paragraph [0001] line 15 insert after "2000," the phrase "now U.S. Pat. 6,713,026" to update the status of that application.

The following is an examiner's statement of reasons for allowance:

Claims 1-4 and 15 are allowable over the prior art of record because the prior art of record does not teach the claimed air conditioner device including the second

Art Unit: 1753

electrode being removably mounted in the housing so that the second electrode can be removed for cleaning and where wherein the second electrode is removable through the top of the housing and a germicidal lamp that can expose the airflow to germicidal radiation, disposed in the housing, the germicidal lamp removably mounted in the housing such that after the inlet is removed, the germicidal lamp can be removed.

Claims 5-8 and 16 are allowable over the prior art of record because the prior art of record does not teach an air transporter-conditioner as claimed including the second electrode removably mounted in the housing so that the second electrode can be removed for cleaning; and a germicidal lamp exposing the airflow to germicidal radiation, disposed in the housing, the germicidal lamp removably mounted in the housing such that the germicidal lamp can be changed.

Claims 9, 10 and 17 are allowable over the prior art of record because the prior art of record does not teach an air transporter-conditioner as claimed including the second electrode being removably mounted in the housing so that the second electrode can be removed for cleaning; the top of the housing including a port through which the second electrode can be removed and a germicidal lamp exposing the airflow to germicidal radiation, disposed in the housing, said germicidal lamp removably mounted in the housing such that the germicidal lamp can be changed; and the germicidal lamp removably mounted in the housing adjacent to the removable inlet so that after the removable inlet is removed, the germicidal lamp can be removed.

Claims 11-14 and 18 are indicated as being allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including

Art Unit: 1753

removing the germicidal lamp through the side for replacing the germicidal lamp along with removing and replacing the second collector electrode through the top of the housing.

Claim 19 is allowable over the prior art of record because the prior art of record does not teach an air conditioner device including at least one vertically elongated collector electrode; a vertically elongated lamp positioned in the housing between the air vents to expose air flow to germicidal radiation wherein the vertically elongated collector electrode is removable out through the top of the housing to thereby allow the collector electrode to be cleaned or replaced; and wherein the vertically elongated germicidal lamp is removable out through the second side of the housing after the removable panel is removed from the housing, to thereby allow the germicidal lamp to be cleaned or replaced.

Claim 20 and 21 are allowable over the prior art of record because the prior art of record does not teach an air conditioner device including at least one vertically elongated collector electrode; a vertically elongated lamp positioned in the housing between the air vents to expose air flow to germicidal radiation wherein the vertically elongated collector electrode is removable out through the top of the housing to thereby allow the collector electrode to be cleaned or replaced; and wherein the vertically elongated germicidal lamp is removable out through the top of the housing, to thereby allow the germicidal lamp to be cleaned or replaced.

The claims distinguish over Wang (U.S. Pat. 5,702,507), the closest prior art of record, because Wang fail to teach a removable cleanable germicidal lamp that emits

Art Unit: 1753

germicidal radiation in conjunction with the removable cleanable second electrode. As Applicant has previously pointed out in the response of September 30, 2004 Wang's ozone tube cannot be construed to be a germicidal lamp that emits germicidal radiation because Wang's ozone tube does not suggest production of germicidal radiation but production of ozone for terminating bacteria existing in air.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney G. McDonald whose telephone number is 571-272-1340. The examiner can normally be reached on M- Th with Every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam X. Nguyen can be reached on 571-272-1342. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney G. McDonald
Primary Examiner
Art Unit 1753